IN THE COUNTY COURT OF VICTORIA
AT MELBOURNE
CRIMINAL DIVISION

Revised
Not Restricted
Suitable for Publication

Case No. CR-21-02364

DIRECTOR OF PUBLIC PROSECUTIONS

v

PETER RAVENSCROFT

JUDGE:	Her Honour Judge Ellis
WHERE HELD:	Melbourne
DATE OF HEARING:	24 May 2022
DATE OF SENTENCE:	8 June 2022
CASE MAY BE CITED AS:	DPP v Ravenscroft
MEDIUM NEUTRAL CITATION:	[2022] VCC 860

REASONS FOR SENTENCE

Subject:	CRIMINAL LAW
Catchwords:	two charges obtaining financial advantage by deception- one charge perjury- plea of guilty- no prior criminal history- good prospects of rehabilitation;
Legislation Cited:	*Crimes Act 1958* (Vic); *Sentencing Act 1991* (Vic);
Cases Cited:	*Worboyes v The Queen* [2021] VSCA 169, *Boulton v The Queen* [2014] VSCA 342; (2014) 46 VR 308;
Sentence:	Community Corrections Order for a period of 2 years, with 180 hours unpaid community work.

APPEARANCES:	Counsel	Solicitors
For the Director of Public Prosecutions	Ms. F Holmes	Office of Public Prosecutions
For the Accused	Mr. J Singh	Falcone & Adams Lawyers

HER HONOUR:

1 Peter James Ravenscroft, you have pleaded guilty to:

- Two charges of obtaining financial advantage by deception, contrary to s82(1) of the *Crimes Act 1958* (Vic), which carries a maximum penalty of 10 years' imprisonment.
- And, one charge of perjury, contrary to s314 of the *Crimes Act 1958* (Vic), which carries a maximum penalty of 15 years' imprisonment.

2 **Circumstances of Offending**

3 The circumstances of your offending are set out in a detailed summary of prosecution opening, marked Exhibit A on the plea. The offending in this case took place during periods of time between November 2012 and February 2017.

4 By way of background, you originate from Great Britain and were employed by the Surrey Police Force between July 1987 and August 1996. You later joined the Sussex Police Force, being employed from January 1999 to July 2007.

5 You then moved to Australia. In October 2007, you obtained a position with the Office of Police Integrity in Victoria. In April 2012, you successfully applied for a position of Senior Investigation Officer at the Department of Treasury and Finance.

6 Later in 2012, you applied for a position as Manager of Compliance and Safety at the Frankston City Council. You were successful in your application and were subsequently employed by the Council between 14 January 2013 until 27 November 2015.

7 Within your application to Frankston City Council, you submitted that you had relevant qualifications and experience, including that you were a Detective Inspector of the National Crime Squad in the United Kingdom; that you were a

Fellow at Leeds University and that you obtained a Bachelor of Education with Honours from Aston University. You also represented that you had obtained a number of diplomas, while in the United Kingdom and in Australia.

8 Following enquiries made by investigators, it was revealed that there was no record of you being employed by the National Crime Squad, and no record of you attending the University of Leeds. Records were also unable to confirm whether or not you attended Aston University. Enquiries were also made with institutions with which you submitted you had completed various diplomas. Records indicated that you did not complete a Diploma in Occupational Health and Safety from Master Builders Victoria. Records also indicated that you did not complete a Diploma in Management from the Australian Institute of Management. You had also submitted within your application, that you had obtained a Diploma in Workplace Training, Performance Evaluation and Assessment from Brighton University in the United Kingdom. There was no record of you being enrolled as a student at the university.

9 You had also submitted that you had obtained two Diplomas from Guildford University in the United Kingdom. Investigators discovered that Guildford University does not exist. Investigators also received a large amount of your personal documents from Frankston City Council used in support of your job application, including Sussex Police certificates of commendation and training completion certificates. These documents appear to have been forged.

10 During your employment with Frankston City Council, you received $456,038.49 in salary and superannuation **(Charge 1: Obtain Financial Advantage by Deception)**.

11 In November 2015, you applied for a position of Assistant Director, Strategic Investigations at the Victorian Ombudsman Office. You were successful in your application and were subsequently employed between 11 January 2016 and

3 February 2017. Within your application you submitted that you had obtained a Bachelor of Education with Honours and an additional Post Graduate with Honours qualification in Criminal Psychology from Aston University. In the same application, you also repeated the representations that you were a Fellow at Leeds University and that you had obtained a number of Diplomas (including from the non-existent Guildford University), whilst in the United Kingdom and in Australia. You also submitted that you were a Detective Inspector with the South East Crime Directorate within the Sussex Police.

12 As already noted, following enquiries made by investigators, it transpired that the representations made by you with respect to your qualifications and experience, were false. Further, records indicated that although you were employed with Sussex Police, you held the role of Detective Constable, not Detective Inspector.

13 During your employment at the Victorian Ombudsman Office, you received $196,857.73 in salary and superannuation (**Charge 2: Obtain Financial Advantage by Deception**).

14 On 12 January 2016, you were required to sign a statutory declaration, as part of the recruitment process for the Victorian Ombudsman Office. You declared that you had disclosed all details of any misconduct or disciplinary action taken against you by any current or former employer. You also declared that all information provided to representatives of the Ombudsman were true and correct.

15 Enquiries revealed that whilst employed at Frankston City Council, an investigation into your behaviour was conducted, and at the time you were stood down pending the outcome.

16 One of the referees submitted to the Ombudsman within your application was a Dr John Marshall. Dr Marshall was spoken to during the application process and stated that he was your direct supervisor for three years at Frankston City

Council. Enquiries revealed that there was no Dr John Marshall employed by Frankston City Council. Enquiries also revealed that the qualifications claimed by you within your resume, were not true **(Charge 3: Perjury)**.

17 You were arrested and interviewed on 7 December 2020 at the Melbourne West Police Complex. You provided an account to police which involved an attempt at justifying the qualifications submitted, including that you didn't physically attend at some universities, but studied online, that some of the qualifications purportedly obtained were in fact obtained elsewhere, that there were some mistakes in your resume, and you maintained you had acting roles of detective sergeant and detective inspector. You stated that you were not trying to deceive anyone when submitting your applications.

18 **Victim Impact**

19 No victim impact statements were tendered on the plea.

20 **Procedural History**

21 You were charged on the day of your arrest, namely 7 December 2020. You entered a plea of guilty to these charges at the second committal mention, on 2 November 2021. A plea hearing was heard in this court on 24 May 2022. I accept that your plea was entered at the earliest opportunity. You have not spent any time in custody for this, or any other offending.

22 **No Prior Criminal History**

23 You come before the court with no prior criminal history.

24 **Personal Circumstances**

25 You were born in March 1966 in Merseyside in the United Kingdom. You are currently 56 years of age. The offending occurred a number of years ago, when you were aged between 45 and 50 years.

26 Your biological father passed away when you were an infant. Your mother, who passed away in 2011, had relationships with a number of men, one of whom was very violent toward you and your mother during their seven year marriage. As a consequence, your mother had attempted to take her own life and was admitted to psychiatric hospitals. Meanwhile, you were housed with your mother's extended family. You have four children, two from a previous marriage in 1987, Samuel and Hannah and two from a subsequent marriage in 1996 to a woman named Rebecca that is Megan and Joseph. This marriage lasted approximately 13 years during which time, your family immigrated to Australia with you in 2007.

27 In 2009 you and Rebecca separated, and she returned to the United Kingdom without giving you any notice, taking both children. As a result you have not seen or spoken to your son Joseph since 2009, as you were denied any access by Rebecca. You briefly resumed contact with your daughter Megan who returned to live with you in 2011 when she was aged 13 or 14 years, for a period of about 12 months. She too was taken back to the United Kingdom and any contact with her was blocked by your ex-wife. You still have contact with your children from your first marriage. You have been with your current wife Heidi since 2009.

28 Whilst in the United Kingdom, you were a member of the Surrey Police. In 1999 you transferred to Sussex Police and later became a Detective Constable. Whilst working with the Sussex Police you were a decorated policeman, and received commendations such as the certificate of merit in recognition of your determination and demonstration of initiative. You are said to have contributed enormously to the police force, and you purportedly were very talented and committed to your role. In 2005 you received a divisional congratulations certificate of merit for your work in relation to a covert drugs operation.

29 Your conduct whilst serving as a police officer between 1999 and 2007 was described as exemplary. You resigned from Sussex Police in 2007 and upon

moving to Australia where, as noted you joined the Office of Police Integrity, and then later, the Department of Treasury and Finance Victoria where you remained for 10 months before resigning to commence your position at the Frankston City Council.

30 In 2018, you began working with Melbourne City Mission, as a manager of Justice Services. You were also responsible for managing a custodial diversion program run in partnership with the Magistrates' Court and the Department of Corrections. You currently working full-time as a consultant for human resources firms.

31 **Nature and gravity of the offending.**

32 Mr Ravenscroft, your offending here was undoubtedly serious. It was also probably entirely unnecessary. In order to secure yourself employment, you not only exaggerated your experience, you blatantly lied. Deceiving prospective employers with such deliberate and calculated lies is appalling behaviour indeed. Moreover, this deceit was committed twice; and your offending occurring over a five year period. It may be that you could have obtained each of the roles without the need to create a false history. You clearly have been able to perform at least one of those roles more than capably, which is what makes your offending all the more inexplicable.

33 As I have noted, you were a genuinely well decorated police officer whilst you were in the United Kingdom. Those achievements would perhaps not have gone unrecognised in any employment application in Victoria. Why you felt the need to create additional achievements, false qualifications, and to lie about the existence of certain roles or universities, is somewhat puzzling.

34 Your counsel, Mr. Singh submits that when you applied for the position with the Department of Treasury and Finance you felt an urgent need to impress the appropriate panel so as to strengthen your claims for employment. You, at that

time, had arrived in Australia with a young family, you wanted to provide a home to them and to enjoy a successful career. Therefore, when it came to your application with the Frankston City Council, and then the Ombudsman, you felt that it was too late and you embarked on the practice of providing false qualifications. I do note however, that at the time of this offending you had been in Australia for approximately five years.

35 What makes this conduct even more unfortunate, is that it appears that you were an exemplary employee, certainly at the Frankston City Council. Tendered on the plea were appraisals from your manager which highlighted that in 2014 you were said to have had a very successful year establishing a sound baseline of professionalism and you had increased creativity in the Department. In 2015 your performance appraisal noted that you had fulfilled all expectations in leading your department into a new and professional way of working. Your commitment to getting work to a high standard was described as outstanding, and your overall success, very much appreciated. Clearly you were well capable of performing the duties required of you.

36 There has been no material submitted regarding your mental health. As part of a Community Corrections Order assessment, you were assessed by senior registered nurse, Brenda Hughes. In her Mental Health Advice and Response Service report, Ms. Hughes notes that in August 2021, you were given a diagnosis of adjustment disorder at the Maroondah Hospital, and you were subsequently seen by a clinician from Casey. You have not accessed a mental health plan. Ms Hughes recommends mental health conditions be mandated on any corrections order to access psychological treatment in order to address the violence you experienced in your childhood, and to address your anxiety. I will say more about the Community Correction Order assessment in a moment.

37 **Plea of guilty**

38 As noted, your plea was entered at the earliest opportunity. I take your plea, and the timing of the plea into account. Your plea is of significant utilitarian value. You have spared the community the significant expense of a trial and importantly, you have spared witnesses, some of whom are overseas, from having to give evidence. Your plea demonstrates a willingness to facilitate the course of justice. It is also some evidence of remorse. You are said to be ashamed of your conduct. I accept that you are remorseful for your behaviour.

39 Your plea of guilty has an additional value, given that it was entered during the COVID-19 pandemic, where the court has a substantial backlog of trials resulting from the suspension of jury trials during 2020 and 2021. Accordingly, as the Court of Appeal articulated in *Worboyes v The Queen*,[1] your guilty plea is worthy of greater weight in mitigation than a similar plea entered at a time when the community and courts are not afflicted by the pandemic's effects. Your plea of guilty should result in a perceptible amelioration of sentence. You are entitled to a substantial discount in sentence both for your plea of guilty itself, and taking into account that this plea of guilty has occurred during the COVID-19 pandemic.

40 **Prospects of rehabilitation**

41 The offending conduct ceased in February 2017, over five years ago. You have not committed any further offences since that time. The absence of any prior criminal history, and lack of further offending since 2017, coupled with your apparent insight, bodes well for your prospects of rehabilitation. I find your prospects of rehabilitation to be extremely good, if not excellent.

42 Ms Dankoff from Corrections, who assessed you for suitability for a community corrections order, considers that you are at low risk of general re-offending.

43 **Relevant sentencing factors**

[1] [2021] VSCA 169.

44 The basic purposes for which a court may impose a sentence are just punishment, deterrence, both specific and general, rehabilitation, denunciation and protection of the community. I am required, pursuant to the *Sentencing Act* 1991, to take into account various factors when formulating an appropriate sentence in your case. These include the seriousness of the offending, your culpability, the effect of your offending on any victims and your personal circumstances.

45 The sentence I pass must balance the interests of the community in denouncing criminal conduct with the interests of the community in seeking to ensure that, as far as possible, you are rehabilitated.

46 **General and specific deterrence**

47 General deterrence is an important sentencing consideration in sentencing you for these offences. Other members of the community must understand that this sort of deception, committed on employers or prospective employers, will not be tolerated. The sentence imposed needs to deter you from considering such offending in the future. Just punishment and denunciation must also be given primary consideration.

48 **CCO assessment**

49 Your counsel has submitted that a community correction order would be within range having regard to all of the circumstances of this case and the sentencing principles to which I must have regard. Ms Holmes, on behalf of the prosecution submits that having regard to all relevant factors, a suitably structured community correction order would fall within the available range of penalties.

50 Accordingly, you were assessed by Corrections and you have been deemed suitable for a community corrections order with a number of conditions recommended.

51 I have given serious consideration as to whether a community correction order would be adequate, and determined that it is appropriate in this case. As the Court of Appeal noted in *Boulton v The Queen,*[2] a community correction order 'may be suitable even in cases of relatively serious offences which might previously have attracted a medium term of imprisonment.' Quoting *Boulton* at paragraph 131:

> 52 'The sentencing judge may find that, in view of the objective gravity of the conduct and the personal circumstances of the offender, a properly-conditioned CCO of lengthy duration is capable of satisfying the requirements of proportionality, parsimony and just punishment, while affording the best prospects for rehabilitation.'[3]

53 **Sentence**

54 Accordingly, you will be sentenced as follows:

55 On all charges you are convicted and placed on a community correction order for a period of two years. There will be a number of conditions, including that you undergo treatment and rehabilitation, with respect to your mental health, and you will need to perform unpaid community work.

56 The core conditions of a community correction order are that you must not commit any other offence punishable by imprisonment during the next two years. You must comply with any and all obligations and requirements. You must report to and receive visits from Corrections. You must report to your nearest designated community correction centre, which I understand is Pakenham, within two clear working days from today. You must let a community correction officer know within two working days of a change of address or job. You must not leave Victoria without first getting permission, and you must obey all lawful instructions

[2] [2014] VSCA 342; (2014) 46 VR 308.
[3] Ibid [131].

from Corrections. These are the mandatory core conditions that attach to any community correction order.

57 In addition to that, as I've said, I am attaching a number of other conditions.

- You are to perform 180 hours of unpaid community work;
- You are to undergo mental health treatment and rehabilitation as directed by Corrections.
- I am going to order that some of the hours of your treatment and rehabilitation can be counted as hours for the purposes of the unpaid community work condition - up to 100 hours.

58 Mr Ravenscroft, I need to ask you whether or not you agree to abide by those conditions before they can be put in place. Do you, firstly, understand the conditions as I have set them out?

59 OFFENDER: I do, Your Honour.

60 HER HONOUR: And do you agree to abide by the conditions of the order that I have proposed?

61 OFFENDER: Yes, I do, Your Honour.

62 HER HONOUR: Thank you. Finally, Mr Ravenscroft I indicate pursuant to s6AAA of the *Sentencing Act* that but for your plea of guilty in this case, for which I have given considerable weight, I would have sentenced you to an immediate term of imprisonment.

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